

Message Text

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C O N F I D E N T I A L SECTION 01 OF 03 MOSCOW 06043

E.O. 11652: GDS
TAGS: UR, LOS
SUBJECT: SOVIETS PUBLISH ARTICLE ON LOS

REF: MOSCOW 5175 (NOTAL)

SUMMARY: LENGTHY LOS ARTICLE IN SOVIET JOURNAL UNDERLINES
MOSCOW'S INTEREST IN SEEING SEVENTH SESSION SUCCEED.
ARTICLE DESCRIBES "PLUSSES AND MINUSES" OF LOS NEGOTIATIONS
TO DATE, STRONGLY ATTACKING "UNILATERALISM" IN ANY FORM
(INCLUDING SEABED MINING BILL BEFORE CONGRESS.) ARTICLE
REFLECTS MOSCOW'S STRONG OPPOSITION TO RECENT TREND TOWARD
"CREEPING JURISDICTION" TO WHICH SOVIET GEO-MILITARY
INTERESTS ARE ESPECIALLY VULNERABLE. ARTICLE ALSO CARRIES
NO EVIDENCE THAT SOVIETS PLAN TO RELAX THEIR HARD LINE ON
SCIENTIFIC RESEARCH IN 200 MILE ZONE. END SUMMARY.

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1. LENGTHY LOS ARTICLE ENTITLED "BALANCE OF PLUSSES AND
MINUSES," BY I. GOREV APPEARED IN MARCH 24 EDITION OF
SOVIET JOURNAL NOVOYE VREMYA. GOREV IS PROBABLY PSEUDONYM
OF SOVIET LOS NEGOTIATOR, I.I. YAKOVLEV, WHO TOLD
EMBOFF (REFTEL) THAT HE WAS PREPARING AN LOS ARTICLE TO
BE PUBLISHED ON EVE OF SEVENTH SESSION.

2. TREATMENT OF SEVENTH SESSION: FOLLOWING INTRODUCTORY PARAGRAPHS EXPLAINING LONG TERM NEED TO CONCLUDE SUCCESSFULLY LOS NEGOTIATIONS, ARTICLE STATES THAT THE "LEGAL PROBLEMS OF THE WORLD OCEAN TOUCHING ON THE POLITICAL, ECONOMIC AND SECURITY INTERESTS OF VARIOUS GROUPS OF COUNTRIES" GIVES A "SHARP CHARACTER" TO THE SEVENTH SESSION NEGOTIATIONS. ACCORDING TO ARTICLE, THESE PROBLEMS ARE COMPLICATED BY UNILATERAL ACTIONS TAKEN BY A NUMBER OF STATES, INCLUDING SOME MARITIME DEVELOPING COUNTRIES (NOTE: THIS COULD BE A REFERENCE TO DPRK MILITARY BOUNDARY. END NOTE) DESIGNED "TO SEIZE SPACIOUS AREAS OF THE HIGH SEAS OR TO SET ARBITRARY ECONOMIC OR FISHING ZONES." ARTICLE HOLDS THAT RECENT INTERSESSIONALS DECIDED THAT THE HIGHEST PRIORITY OF THE SEVENTH SESSION WOULD BE GIVEN TO THE MOST CONTROVERSIAL OF THE UNRESOLVED MATTERS. ARTICLE LISTS UNRESOLVED ISSUES AS
(A) PROSPECTING AND DEVELOPING SEABED RESOURCES, (B)
"STATUS OF THE ECONOMIC ZONE AS A PART OF THE HIGH SEAS,"
(C) SOME ASPECTS OF FISHERIES AND ACCESS TO LIVE RESOURCES OF THE ECONOMIC ZONE BY 53LL/GDS COUNTRIES AND (D) "DEMILITARIZATION" OF THE SEA AREAS BETWEEN THE STATES. ARTICLE HOLDS IT IS "IMPOSSIBLE" TO GET A COMPREHENSIVE AGREEMENT WITHOUT AGREEMENT ON ALL OF THESE ISSUES AND STATES THAT THE SEVENTH SESSION'S SUCCESS WILL LARGEMLY DEPEND ON WHETHER THESE STILL EXISTING DISAGREEMENTS ARE RESOLVED.

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ARTICLE THEN CLAIMS THAT, "DESPITE THE FACT THAT THE LONG-STANDING INTERESTS OF ALL PEOPLES CALL FOR MUTUALLY ACCEPTABLE SOLUTIONS, SOME DEVELOPED AND DEVELOPING COUNTRIES OFTEN CONTINUE TO DEFEND RESOLUTIONS INFRINGING ON THE LEGAL RIGHTS AND INTERESTS OF OTHER GROUPS OF NATIONS. THIS, NATURALLY, COMPLICATES THE WORK OF THE CONFERENCE, AND IT APPEARS THAT IN THE COURSE OF THE SEVENTH SESSION AN INTENSIFIED STRUGGLE WILL EVOLVE AND THE FATE OF THE FUTURE CONVENTION WILL DEPEND ON ITS OUTCOME." CONCLUDING PART OF ARTICLE AGAIN TAKES GENERAL LOOK AT SEVENTH SESSION STATING "ONE SHOULD NOT EXPECT... AN IMMEDIATE AND EASY RESOLUTION OF ALL ISSUES. HOWEVER, IT WOULD BE ABSOLUTELY WRONG TO FORETELL ITS FAILURE. THE BALANCE OF THE PLUSES AND MINUSES ... OF THE CONFERENCE ARE GRADUALLY MOVING TO THE BENEFIT OF STRENGTHENING OF PROSPECTS FOR INTERNATIONAL SETTLEMENT OF PROBLEMS OF THE WORLD OCEANS."

4. PLUSES AND MINUSES: THE ARTICLE APPLAUDS:

-- THE GRADUAL TREND TOWARD RESOLVING LOS ISSUES OVER THE LAST FIVE YEARS.

-- A STRENGTHENING OF MUTUAL TRUST AND THE WILL TO COMPRO-MISE THAT HAS ACCOMPANIED THIS PROCESS.

-- THE EVOLUTION OF A "PACKAGE" IN THE FORM OF THE ICNT THAT CAN BE APPROVED BY CONSENSUS AT THE END OF THE CONFERENCE. "SUCH A PROCEDURE," THE ARTICLE STATES, "NATURALLY DEMANDS A PATIENT AND BALANCED APPROACH." ARTICLE STATES THAT "AS WE SEE IT, A BASIS FOR A MUTUALLY ACCEPTABLE COM-PROMISE IS EMERGING. THIS OPINION IS SHARED BY A MAJORITY OF STATES."

5. ARTICLE STATES MAJORITY OF CONFEREES VIEW ICNT AS A "PACKAGE" TO DEAL WITH THE VARIETY OF PROBLEMS RELATING TO THE LOS. IT TERMS THE ICNT A "CONSTRUCTIVE APPROACH"

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TO SOLUTIONS ON TWELVE MILE TERRITORIAL SEA LIMITS, REGULA-TION OF INTERNATIONAL STRAITS AND WATERS OF ARCHIPELAGIC COUNTRIES, THE 200 MILE ECONOMIC ZONE, FISHERIES REGULATION, MARINE SCIENTIFIC RESEARCH IN VARIOUS AREAS OF THE OCEAN, FREEDOM OF NAVIGATION, AND GENERAL PRINCIPLES OF THE REGU-LATION OF THE HIGH SEAS, THE CONTINENTAL SHELF AND THE SEA-BED. ARTICLE STATES THAT SEA POLLUTION AND "MARINE SCIEN-TIFIC RESEARCH IN VARIOUS PARTS OF THE HIGH SEAS," ALONG WITH OTHER PROVISIONS "REFLECT A HIGH LEVEL OF COORDINATION

OF POSITIONS OF A MAJORITY OF THE CONFERENCE MEMBERS.

6. ALL ISSUES ON THE NEGATIVE SIDE OF THE LEDGER FALLS
UNDER THE UMBRELLA OF "UNILATERALISM." TOTAL
SOVIET OPPOSITION TO VARIOUS FORMS OF "UNILATERALISM" IS
WOVEN THROUGH THE ENTIRE ARTICLE. ARTICLE HOLDS THAT THE
MAJORITY OF THE CONFEREES OPPOSE UNILATERAL CLAIMS,
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WHICH ARE IMPERIALIST IN NATURE," AND COULD LEAD TO
"COLONIAL GRABBING" OF THE SPACIOUSNESS AND RESOURCES OF
THE WORLD'S OCEAN. THIS WOULD RESULT IN DISCORD, THE GROWTH
OF TENSION, AND THREATEN THE OUTBREAK OF SERIOUS CONFLICTS.
ARTICLE OPINES THAT THE JOINT LOS EFFORT "SHOULD NOT BE
DIRECTED TO THE DIVISION OF THE WORLD OCEAN BUT TO THE
CREATION OF A LEGAL BASIS FOR PEACEFUL, EQUAL AND FRIENDLY
COOPERATION AND MUTUAL ACTIVITIES OF ALL NATIONS."

7. SEABED MINING: THE U.S. IS CRITICIZED FOR "UNILATERAL-
ISM" ON THIS ISSUE. THE ARTICLE NOTES THE "SERIOUS CONCERN"
OVER "PLANS OF SOME CIRCLES" TO TAKE UNILATERAL ACTIONS ON
THE SEABED. ARTICLE REFERS TO A BILL "PREPARED IN THE U.S.
CONGRESS" ON ACCESS BY PRIVATE COMPANIES TO SEABED
RESOURCES AND HOLDS THAT THE BILL'S APPROVAL WILL ENTAIL AN
"ESCALATION OF UNILATERAL ACTIONS" WHICH WILL UNDERMINE
INTERNATIONAL SETTLEMENT NOT ONLY OF THE SEABED PROBLEM BUT
ALSO OF THE WHOLE "PACKAGE" OF OTHER LOS QUESTIONS BEING
REVIEWED BY THE CONFERENCE. ARTICLE STRESSES THE IMPORTANCE
OF RESOLVING THE SEABED ISSUE AT THE SEVENTH SESSION. IT
CRITICIZES ARGUMENTS PRESENTED AT THE SIXTH SESSION THAT,
IT ALLEGES, WOULD AMOUNT TO GRANTING SEABED MINING RIGHTS
ONLY TO AN INTERNATIONAL BODY (E.G., THE AUTHORITY).
THIS, THE ARTICLE CONTENDS, WOULD PRACTICALLY FORBID STATES
THEMSELVES FROM PROSPECTING AND MINING THE SEABED'S
RESOURCES. ARTICLE RECALLS SOVIET SUPPORT FOR A COMPROMISE
AT THE SIXTH SESSION THAT WOULD GRANT THE INTERNATIONAL
BODY THE AUTHORITY TO ORGANIZE, CARRY OUT AND SUPERVISE
SEABED MINING WITHIN THE FRAMEWORK OF THE CONVENTION'S
PRINCIPLES. ARTICLE STATES THAT IF THIS KEY MATTER IS
SOLVED, SOLUTIONS FOR OTHER SEABED-RELATED PROBLEMS SUCH
AS FINANCING THE ENTERPRISE COULD BE FOUND. ARTICLE
CALLS ON OTHER MEMBER STATES TO MATCH SOVIET READINESS
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AND WILLINGNESS TO CONTRIBUTE TO SOLVING THE SEABED PROB-
LEM.

8. COMMENT: NOVOYE VREMYA IS GIVEN WIDE DISTRIBUTION ABROAD IN FRENCH, ENGLISH, GERMAN, SPANISH AND OTHER LANGUAGES. BY SELECTING THIS JOURNAL TO PUBLISH THE LOS ARTICLE, THE SOVIETS ARE UNDOUBTEDLY AIMING AT MORE THAN A DOMESTIC AUDIENCE.

9. THE ARTICLE CONTRIBUTES TO THE FOLLOWING CONCLUSIONS ABOUT SOVIET LOS OBJECTIVES, MOST OF WHICH WERE REPORTED REFTEL:

-- MOSCOW IS EAGER TO SEE THE SEVENTH SESSION SUCCEED AND IS EXPENDING CONSIDERABLE DIPLOMATIC EFFORT TOWARD THIS END;

-- MOSCOW STRONGLY OPPOSES "CREEPING JURISDICTION" IN ANY FORM, INCLUDING EXTENSION OF TERRITORIAL WATERS BEYOND TWELVE MILES, "MILITARIZATION" OF SEA AREAS BETWEEN STATES, OR MOVES BY INDIVIDUAL COUNTRIES TO EXPLOIT THE SEABED. THIS OPPOSITION IS MAINLY AN OUTGROWTH OF THE SOVIET UNION'S GEOGRAPHICAL POSITION, WHICH WOULD MAKE AN AGREEMENT THAT WOULD TERMINATE "CREEPING JURISDICTION" TREND VERY ADVANTAGEOUS TO MOSCOW.

-- BASICALLY FOR MILITARY-STRATEGIC REASONS, THE SOVIETS WOULD LIKE TO SEE A SOLUTION TO THE SEABEDS PROBLEM, SINCE THIS WOULD FACILITATE CONCLUSION OF A COMPREHENSIVE LOS ACCORD THAT WOULD NAIL DOWN SOLUTIONS ON MILITARY-RELATED ISSUES. CONVERSELY, FAILURE TO REACH A SEABEDS COMPROMISE SATISFACTORY TO THE U.S. COULD SEVERELY DAMAGE OR DESTROY THE CONFERENCE'S PROSPECTS FOR SUCCESS AND THEREBY INCREASE SOVIET VULNERABILITY TO THE NEGATIVE EFFECTS OF "CREEPING JURISDICTION."

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-- THE FEW REFERENCES TO SCIENTIFIC RESEARCH PROVIDE NO
EVIDENCE THAT THE SOVIETS ARE PLANNING TO RELAX THEIR
SUPPORT FOR A "PRIOR CONSENT" REGIME FOR MARINE SCIENTIFIC
RESEARCH INSIDE THE 200 MILE ECONOMIC ZONE. TOON

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